IN THE HIGH COURT OF JUDICATURE AT BOMBAY

T & I.J.

CHAMBER SUMMONS NO.89 OF 2006

IN

PETITION NO.132 OF 2006

Jaisukh Nagardas Bhuta
and anr. ...Petitioners

v/s.

Sushila H. Mehta ...Caveator

...

Mr.Vibhuti Vyas i/b FZB Associates for the Petitioners.

Mr.Girish Thakur i/b Khaitan & Jaykar for the Caveator.

...

**CORAM: D.K.DESHMUKH, J.**

**DATED:** 18TH JANUARY,2007

**P.C.:**

1. This Chamber summons has been taken out by the

caveator for condonation of delay in filing affidavit in support of the caveat. Perusal of the affidavit filed in support of the Chamber Summons shows that the date on which the caveat is filed is not disclosed. I asked the learned advocate appearing for the caveator as to what is the date on which the caveat was filed, but he is unable to tell that date. From the affidavit one cannot come to the conclusion that there is delay of only one day. Perusal of the affidavit filed in support of chamber summons shows that it has been filed in most casual manner, as the affidavit does not disclose appropriate details which are required to be disclosed.

2. I asked the learned advocate for the Petitioner as to whether he wants to withdraw the chamber summons so that he can file proper affidavit, but he declined to withdraw the chamber summons.

2. In these circumstances, therefore, I am left with no alternative but to dismiss the chamber summons. Chamber summons is, therefore, disposed of.

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